



State of Utah

Department of Natural Resources

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Division of Oil, Gas & Mining

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Lieutenant Governor

March 12, 2007

CERTIFIED RETURN RECEIPT
7004 2510 0004 1824 8873

David Taylor
400 South 200 East
P. O. Box 76
Emery, Utah 84522

Subject: Fourth Review of Notice of Intention to Commence Large Mining Operations, Miracle Rock Mining and Research, The Rockland Mine, M0150040, Task 1669, Emery County, Utah

Dear Mr. Taylor:

The Division has completed its review of the January 10, 2007, submittal of your Notice of Intention to Commence Large Mining Operations for The Rockland Mine, located in Emery County, Utah. This submittal was in response to the Division's November 6, 2006, review. The attached comments will need to be addressed before tentative approval may be granted.

The comments are listed under the applicable Minerals Rule heading; please format your response in a similar fashion. **Please address only those items requested in the attached technical review** by sending replacement pages of the original mining notice using redline and strikeout text and indicated how these are to be incorporated into the current approved plan using the attached form MR-REV-att. After the notice is determined technically complete, you will be asked to send us two clean copies of the complete plan, and one copy will be returned.

The Division will suspend further review of The Rockland Mine Notice of Intention until your response to this letter is received.

Cessation order MC2006-03-08-01 states:

Operator has an additional 60 days after submitting this response [plan received August 15, 2006] (not including Division review time) to ensure that it is approvable.

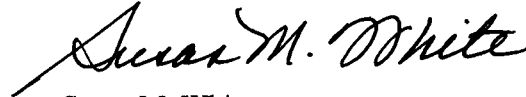
You received the Division's review of the August 15, 2006, submittal on November 13, 2006, and the current version of the plan was received by the Division on January 10, 2007, a period of 58 days. Therefore, according to the terms of the cessation order, you have only two days from your receipt of this review until the Division must receive an approvable plan.

Dave Taylor
Page 2 of 5
M0150040
March 12, 2007

You may want to request additional time to prepare and submit the next response. **If you do not request an extension and do not submit the response in the remaining two days, the Division may issue a cessation order for failing to abate the first cessation order. A "failure to abate cessation order" carries a fine of \$750 per day.**

Many of the deficiencies in the previous review were not addressed in your latest response. If you have questions about what is being required, please call the appropriate reviewer, Paul Baker or Tom Munson, or call me to set up a meeting with the staff. Doug Jensen reviewed the submittal, but he is now retired. Engineering questions can be directed to Beth Ericksen at 801-538-5318.

Sincerely,

A handwritten signature in black ink that reads "Susan M. White". The signature is fluid and cursive, with a long horizontal line extending from the start of the name.

Susan M. White
Mining Program Coordinator
Minerals Regulatory Program

SMW:PBB:pb
Attachment: Review
cc: John Blake, SITLA
P:\GROUPS\MINERALS\WP\M015-Emery\M0150040-MiracleRock\Final\rev4-miraclerock.doc

REVIEW OF NOTICE OF INTENTION TO COMMENCE LARGE MINING OPERATIONS

**Miracle Rock Mining and Research Company
The Rockland Mine
M0150040
March 12, 2007**

R647-4-105 - Maps, Drawings & Photographs

- 105.1 Topographic base map, boundaries, pre-act disturbance
The plan notes that map 105.E shows area to be disturbed or reclaimed over the life of the project.
There is no map 105.E in the plan. Please include this map in the plan. (DJ)
- 105.2 Surface facilities map
The legend notes that disturbed areas outlined on map 105.2 will be reclaimed.
Please note on the map which areas will receive various reclamation treatments shaded cross hatched or color coded to identify which reclamation treatments will be applied. (DJ)
- The outline on map 105.1 shows areas that will be disturbed and reclaimed.
The outline has not been completed west of the main portal. Please complete this outline. (DJ)
- The disturbed area outline does not include the water treatment pond. Please redraw the line to include this area. (PBB)
- 105.3 Drawings or Cross Sections (slopes, roads, pads, etc.)
Section (c) which deals with variances to reclamation standards is shown as not applicable. In section (d), the plan notes that map 105.2 shows highwalls proposed to remain steeper than 45 degrees.
Highwalls proposed to remain steeper than 45 degrees require a variance to the rules.
Please color code or show the areas where the highwalls will remain steeper than 45 degrees and include in the plan an application for a variance to leave these structures. In Section 110.2 of the plan it states "All highwalls will be shot off and contoured to a 2:1 slope" (DJ)

R647-4-106 - Operation Plan

- 106.2 Type of operations conducted, mining method, processing etc.
The plan notes that constant reclamation exists as high wall advances.
Please explain the term "constant reclamation" and show areas on the map where this reclamation has taken place. (DJ)
- 106.5 Existing soil types, location, amount
In Sections 106.5 and 106.6, the plan says 403 cubic yards of soil is available to be stockpiled from one acre, and Section 106.5 contains a statement that 11,850 cubic yards of soil is stored above highwall areas. It appears there is 403 cubic yards of soil that

could be salvaged from a one-acre area that will be disturbed in the future. Is this correct? If so, please make this statement. If not, please provide an explanation of the apparent discrepancy in soil volumes. (PBB)

106.6 Plan for protecting & redepositing soils

The plan says the refuse pile will be covered with two feet of topsoil, but how much soil will this leave for reclamation of the rest of the site? (PBB)

106.7 Existing vegetation - species and amount

Please correct the vegetation ground cover percentage on page 9, Section 106.7. This value should be broken into two components, understory and canopy. The understory value is 2.8 percent, and the canopy value is 24.25 percent. The success standard is 18.9 percent. (These last two values are different than those shown in the Division's previous review, but the reason for the discrepancies is not known.) Please make the appropriate corrections. (PBB)

106.9 Location & size of ore, waste, tailings, ponds

Mining in this area has created an area noted as a mine landing. This area is essentially a cut into the hillside with spoils from the cut used as fill to create the landing.

Please describe reclamation treatments planned that will recontour and reclaim these areas. (DJ)

Map 105.1 indicates that a refuse pile and two soil stockpiles are located at the site. Please indicate the amount of material contained in this pile. (DJ)

The plan does not indicate how the waste rock or reject material will be disposed of. Please include in the plan how this material will be used during reclamation. (DJ)

The operator has provided a description of this pond's dimensions but failed to provide the exact location in reference to the disturbed area, showing it outside of the permit area on Figure 105.2. Please provide a figure showing the disturbed drainage conveyance system and how drainage will reach this structure. You also are responsible to show watershed areas both on and off site contributing to the site. (TM)

R647-4-107 - Operation Practices

107.1 Public safety & welfare

107.1.14 Posting warning signs

The plan indicates that blasting takes place at the site.

A sign describing the blasting protocol should be placed at the entrance to the site to warn the public of this practice. (DJ)

107.3 Erosion control & sediment control

Please show how erosion is minimized and sediment is kept from leaving the site. It is not apparent how the drainage is routed to the pond please describe this process as it

exists on site. This needs to be shown on a map showing topography and disturbed boundaries so one see the adequacy of the treatment.(TM)

R647-4-110 - Reclamation Plan

- 110.2 Roads, highwalls, slopes, drainages, pits, etc., reclaimed
The plan indicates that the portal will be sealed and backfilled.
Please provide a more detailed description on how the portals will be sealed and backfilled. (DJ)

The plan does not include a description on how the slopes now in place and that are being created, will be reclaimed.

Please include a description of how these slopes will be reduced to the required 3:1 slope. (DJ)

- 110.5 Revegetation planting program
The seed mix on page 16, Section 110.5, is shown as an "example." It appears to be the seed mix that would be used at the site rather than an example. Please clarify. (PBB)

The plan states that topsoil will be placed on the reclaimed areas during final reclamation. Please include in the plan the depth of the soil to be replaced and the number of acres that will receive this treatment. (DJ)

According to the plan, the refuse pile will be resloped then harrowed with a tractor. The Division recommends that the pile be either ripped or roughened by a trackhoe. Any ripping or harrowing needs to be done parallel to the contour. (DJ)

R647-4-111 - Reclamation Practices

- 111.9 Dams & impoundments left self draining & stable
The pond appears to be outside the disturbed area please describe your reclamation plans for this structure.(TM)

R647-4-113 - Surety

No surety estimate was included with the plan. Please include an estimate of the cost of reclamation of this site. (DJ)